

BILL NO. S-92-05-12

SPECIAL ORDINANCE NO. 12

AN ORDINANCE REPEALING
THE APARTMENT OWNERS'
GARBAGE COLLECTION FEE
SUBSIDY.

WHEREAS, the City Council, in 1981, adopted Special Ordinance No. S-216-81 which provided a subsidy to certain apartment owners who selected the dumpster method of solid waste removal;

WHEREAS, the City Council desires to end said subsidy effective June 30, 1992.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Special Ordinance No. S-216-81, a copy of which is attached as Exhibit "A," is hereby repealed and the subsidy provided for therein terminated effective June 30, 1992.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

C. R. Edwards
Council Member

APPROVED AS TO FORM
AND LEGALITY

J. Timothy McCaulay
J. Timothy McCaulay, City Attorney

AN ORDINANCE to provide an alternative dumpster method of solid waste collection for multi-family units in the City of Fort Wayne and to establish a credit to be paid by the City of Fort Wayne for those multi-family units utilizing said alternative method in lieu of utilizing the solid waste collection services rendered by the City of Fort Wayne for other residences.

WHEREAS, it is the intent of the Common Council of the City of Fort Wayne to furnish to multi-family residential living units within the legal boundaries of the City on an alternative dumpster method of solid waste collection service. The owner of such multi-family residential complexes (3 living units or more) may place garbage, rubbish, household rubbish and solid wastes in a dumpster or sanitainer, and may select a Board of Public Works approved hauler to remove such garbage, rubbish, household rubbish and solid wastes at least once a week; and

WHEREAS, it is the further intent of the City of Fort Wayne to allow and pay to such approved hauler, who contracts with an owner electing to utilize such dumpster service, a credit to apply to the costs of such dumpster service where same is elected by the owner of such multi-family units in lieu of the solid waste collection service otherwise provided by the City of Fort Wayne for residential units; and

WHEREAS, it is the further intent of the City of Fort Wayne to assure that said solid waste is transported only by approved haulers utilizing safe and sanitary equipment, maintaining adequate insurance coverages, and dumping only in approved sites.

SECTION 1. The owner of a multi-family unit consisting of three (3) or more living units in a single complex shall have the option to dispose of the solid waste materials generated by the residents of said units by contracting for the disposal thereof with an approved hauler in lieu of utilizing the solid waste disposal collection services otherwise provided by the City of Fortwayne, subject to the conditions and terms of this Ordinance.

The said fee shall be computed on the basis of occupied units as follows:

- A. If the multi-family unit is at least 85% occupied then 100% of the units located in such complex shall be considered ~~as~~ receiving service.
- B. If at least 75% of the residential units located in such complex are occupied then 85% of the units located in such complex shall be considered as receiving service.
- C. If the multi-family unit is at least 65% occupied then 75% of the units located in such complex shall be considered a receiving service.
- D. If at least 55% of the residential units located in such complex are occupied then 65% of the units located in such complex shall be considered as receiving service.

The amount of the per occupied residential unit fee shall be the sum of \$14.11 per year for the first twelve (12) months of an approved contract and shall thereafter be adjusted up or down on an annual basis by 80% of the percentage change in the C.P.I. (Consumer Price Index, published by the U.S. Department of Labor, Bureau of Labor Statistics, for "all items" in the U.S. City Average" Category). for the prior twelve (12) month period from the date of execution of the approved contract or its annual anniversary date thereafter.

SECTION 4. In the event an approved service contract is cancelled or terminates at any time subsequent to such approval, then the owner of the multi-family unit covered and the approved hauler shall give immediate notification in writing to the Board of Public Works specifying the date of cancellation or termination.

SECTION 5. WAIVER OF OTHER SERVICE

Before the City shall recognize any such multi-family service contract and pay any funds to a hauler, the owner of such multi-family units shall give written notice to the Board of Public Works that said owner waives all right for itself and the residents of said multi-family

Read the first time in full and on motion by Belmont, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on United of the Lake (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19_____, at _____ o'clock _____ M., E.S.T.

DATED: 5-16-92 Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Belmont, seconded by _____, and duly adopted, placed on its passage.
~~PASSED~~ LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES		5	4	
BRADBURY		✓		
EDMONDS		✓		
GiaQUINTA			✓	
HENRY		✓		
LONG			✓	
LUNSEY			✓	
RAVINE		✓		
SCHMIDT			✓	
TALARICO		✓		

DATED: 6-23-92 Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. _____ on the _____ day of _____, 19_____,

ATTEST: (SEAL)
SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19_____, at the hour of _____ o'clock _____ M., E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____, 19_____, at the hour of _____ o'clock _____ M., E.S.T.

PAUL HELMKE, MAYOR

DIGEST SHEET

TITLE OF ORDINANCE SPECIAL ORDINANCE

DEPARTMENT REQUESTING ORDINANCE MAYOR'S OFFICE

SYNOPSIS OF ORDINANCE REPEALS APARTMENT OWNERS' GARBAGE COLLECTION
FEE SUBSIDY EFFECTIVE JUNE 30, 1992.

J-92-05-12

EFFECT OF PASSAGE SUBSIDY WILL END JUNE 30, 1992.

EFFECT OF NON-PASSAGE SUBSIDY WILL CONTINUE.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

ASSIGNED TO COMMITTEE (PRESIDENT) _____

BILL NO. S-92-05-12

REPORT OF THE COMMITTEE ON
THE COMMITTEE OF THE WHOLE

DONALD J. SCHMIDT, CHAIR
CLETUS R. EDMONDS, VICE CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON THE COMMITTEE OF THE WHOLE TO WHOM WAS
REFERRED AN (ORDINANCE) (RESOLUTION) REPEALING THE APARTMENT
OWNERS' GARBAGE COLLECTION FEE SUBSIDY

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~) _____

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Helen Henry
 Alice Fabrice
 William Edwards
 Charlie Jones
 Sam J. Talanice
 John J. Talanice
 Janet Bradbury.

DATED:

DATED: 6-22-92

Sandra E. Kennedy
City Clerk